

REMARKS

In the Office Action, dated October 19, 2004, the Examiner states that Claims 1-30 are pending, Claims 1-4, 14-16 and 26-30 are rejected and Claims 5-13 and 17-25 are withdrawn. By the present Amendment, Applicant amends the claims.

The Applicant has cancelled Claims 1-4 and 14-16. The rejections to those claims are thus now moot. However, the Applicant reserves the right to file a divisional application directed to those claims.

In the Office Action, Claims 26 and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chiausa (FR 2,552,473) in view of Nassof (US 3,782,495) and Geist et al. (US 3,964,910). Claim 27 is rejected in further view of Guy (JP 02-200277). Claims 29 and 30 are rejected in further view of Anderson et al. (WO 99/43907). The Applicant respectfully disagrees with and traverses these rejections.

Chiausa teaches a material for a false ceiling. Chiausa does not teach the printing of a predeformed pattern. Chiausa only explains what is the general state of the art. Chiausa discloses that a polyane film may be placed under tension when cooled and that the tension increases as the temperature of the film returns to an ambient temperature. Chiausa is silent as to the direct printing of any designs, whether predeformed or not.

Nassof relates to tiles for suspended ceilings. In Nassof, the plastic film is attached to a wire frame by adhesive means (col. 1, lines 34-38), or is formed as a bag of suitable material around the frame (figure 4, col. 1, line 67 to col. 2, line 2). Thus, Nassof does not relate to a stretched false ceiling. The Applicant respectfully considers that a person skilled in the art would not attempt to combine the teachings of Nassof, which is not directed to stretched false ceilings, with the teachings of Chiausa. There is no teaching or suggestion in Nassof on how to apply the printing to the stretched ceiling in Chiausa.

Geist teaches a method of determining how to print predeformed patterns on a plastic sheet material that is deformed into a three dimensional shape. There is no teaching or suggestion to apply the disclosed technique of determining a pre-deformed pattern to a planer sheet placed under tension. The formation of deep drawn containers is not analogous to the stretching of a false ceiling under tension.

It is submitted that the question under 35 U.S.C. §103(a) is whether the totality of the art would collectively suggest the claimed invention to one of ordinary skill in this art. *In re Simon*, 461 F. 2d 1387, 174 USPQ 114 (CCPA 1972).

That elements, even distinguishing elements, are disclosed in the art is alone insufficient. It is common to find elements somewhere in the art. Moreover, most, if not all, elements perform their ordained and expected functions. The test is whether the invention as a whole, in light of all the teachings of the references in their entireties, would have been obvious to one of ordinary skill in the art at the time the invention was made. *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983).

It is insufficient that the art disclosed components of Applicants' claimed invention, either separately or used in other combinations. A teaching, suggestion, or incentive must exist to make the combination made by the inventor. *Interconnect Planning Corp. v. Feil*, 774 F. 2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1988).

There is no reason or suggestion in the evidence of record why one of ordinary skill in the art would take the stretched false ceiling of Chiausa, apply the printing of Nassof which is not directed to stretched false ceilings, and determine a predeformation pattern for the printing according to Geist, which also is not directed to stretched false ceilings, nor is Geist directed to a planer sheet material. The Applicant considers the combination of these various features in unrelated prior art references to be improper hindsight reasoning. Without a teaching, suggestion or motivation to combine the various features of

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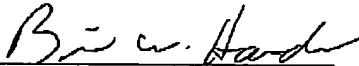
these references within the references themselves, the rejections based upon these references is improper.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date



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